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ABSTRACT

In June 1995, California Governor Pete Wilson issued an executive order to end "preferential treatment and to promote individual opportunity based on merit." In response to the governor's order, the Regents of the University of California introduced a special resolution that barred the University from using race, religion, ethnicity, or national origin as criteria for admission to the university or to any program of study. The goal of this paper is to provide background information surrounding the new admissions policy to the University of California and its impact upon underrepresented students seeking access. After tracing some student demographics, the paper offers a history of admissions to the University of California from its inception in 1849, through establishment of the Regents of the University in the late 1800s and the setting of qualifications for admissions, to changes in the 1960s that reshaped California higher education, to the policy resolution in 1974 that addressed the issue of diversity, and finally to the June 1995 order which ended race-based decision making in admissions. The paper offers evidence and argues that this policy has caused stagnant growth in underrepresented minority student admission to the university and calls for admissions policies that address the needs of new student populations. (Contains 22 references.) (CH)

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Increasing Access to the University

By:
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Paper Presented at the
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March, 2000

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Historically, there continues to be a disparity in the number of students of color who are admitted to public universities in the United States. According to the California Postsecondary Commission, African-American, Latinos, and Native American students enroll into universities at a much lower rate than their European-Americans or Asian American counterparts. During the 1960's the struggle for educational equity was absorbed by the civil rights movement. It was believed that access to education for underrepresented groups would achieve momentum among higher levels of society by opening the doors to the university. However, thirty-nine years later with very low rates of minority students attending the University, was the door to access fully opened or just to certain types within the underrepresented population? Now with the current "color blind" admissions criteria enacted by the University of California, the decline in diversity on campuses statewide has been exacerbated. The unequal access of underrepresented students is not entirely the result of race blind forces, but rather the concrete result of very specific choices made by a conservative administration. The current trend of xenophobic policies regarding race can be attributed partially to Governor Pete Wilson. In June of 1995, Governor Wilson issued Executive Order W-124-95. The Executive Order requested the end of "preferential treatment and to promote individual opportunity based on merit." As a result of the Governor's Executive Order the University of California Regents introduced SP-1 a special resolution, which barred the University of California from using race, religion, sex, ethnicity, or national origin as criteria for admission to the university or to any program of study.

As we enter the new millenium, education is expected to experience unprecedented growth not only in student population, but also increased diversity. As

California Postsecondary Education Commission (1992) research asserts regarding high school graduates, "by the year 2000, Latino graduates are expected to comprise 35.9 percent of all graduates. The representation of Asians will increase to '16.7,' percent while African-American representation will decrease to '5.8' percent." With this growth in the new student population providing postsecondary educational opportunities for these students is critical to ensuring that they become productive and economically stable citizens. One of the fundamental goals of education is to prepare students to participate in the world that they will enter upon graduation and in California that world will be increasingly international and multicultural. With the barring of what has been captioned "preferential treatment," increased diversity, and a larger student body statewide, will underrepresented students continue to have access to the statewide campuses of the University of California? The preliminary figures for Fall admissions to the University of California has presented disturbing results regarding the ethnic make-up of the Freshmen Classes of 1998 and 1999. For example, high-profile campuses such as those of Berkeley and Los Angeles show numbers that the new face of the University of California is primarily European and Asian students. According to the Los Angeles Times (1998), they reported that the University of California, Berkeley figures showed a sixty-two percent drop for Blacks and a forty-six percent drop for Latinos admitted. At the University of California, Los Angeles there was a forty- percent drop in the admission of Blacks and a twenty-four percent drop for Latino students admitted. These percentages provide a real indication that the effect of new prohibitions on race can be attributed to the record declines in diversity.

The vision of California should be one that allows all students the opportunity to develop their talents and skills to their full potential. The goal of this paper is to provide the reader with the background surrounding the new admissions policy to the University of California and its impact upon underrepresented students seeking access. The premise of this research lies in the need for all groups to be fully included in education. The term underrepresented is defined as African-American, Latino and Native American students who represent the low population of students enrolled at the University of California.

One of the goals of our society is that individuals are judged, in the words of Dr, Martin Luther King, Jr., "not by the color of their skin but the content of their character." This statement must become a reality if California is to maintain a commitment to educational equity for all students. If California is to provide a strong social and economic future for its youth, then it must ensure that equitable educational opportunities are available for all students, especially for those from backgrounds largely absent in the past from our colleges and universities.

According to the California Postsecondary Education Commission (CPEC) over the next ten years the number of public high school graduates is projected to increase by nearly 50 percent. This growth will have a tremendous impact on education. California's changing demographics and the new student population presents a challenge towards establishing equity for public universities. As Fox (1992) states:

> The challenge for higher education in responding to this tremendous change in the racial/ethnic composition of the student body will be to recognize that this diversity also means diversity in learning styles and in cultural backgrounds, and that therefore our educational institutions will need to make some changes in their operations to serve more effectively their new student clientele. (pg. 4)

However, with an increase in public high school graduates across all racial/ethnic lines there is a stagnant and in some cases declining growth for underrepresented students attending the university. In 1996, African-American students eligible to attend the university were 2.8 percent and Latinos were 3.8 percent compared to 12.7 percent for White students and 30 percent for Asian students. The California Postsecondary Education Commission (CPEC) under the Master Plan for Higher Education was established to examine and study the structure, issues and challenges of higher education within the state of California for the Governor, Legislature and public universities. Because of CPEC's role within the policy context of higher education, several of their reports will be utilized within this paper.

As we look at admissions at the University of California it is appropriate that we begin with the creation of the university. At the first constitutional convention in Monterey in 1849, there was an interest expressed in establishing a University of California. However, the new state lacked sufficient government support to establish a university. To fill the void "private academies" were developed to educate those in the mining camps and "boomtowns." One such academy was the Contra Costa Academy in Oakland in 1853. In 1855 the Academy became incorporated as the College of California. In 1862 under the "Morrill Act" each state was offered a grant of public land to establish a college thus, with 150,000 acres of land in the Legislature in 1866 established the "College of Agricultural, Mining and Mechanical Arts." The new college had funds but no real campus (no buildings) and the college of California had a campus, but inadequate funds. In 1867, the College of California set-up an agreement with the College of Agricultural, Mining, and Mechanical Arts to offer its campus to the state in

exchange the two colleges would forge together to establish a full university, aimed at teaching the humanities and agriculture. The Legislature accepted the agreement, which came to be known as the "Organic Act." The University was chartered on March 23, 1868 through the "Organic Act." The Organic Act passed by the California Legislature and signed by then Governor H.H. Haight established the University of California. The University opened its doors with its first campus in Oakland in 1869.

By the second constitutional convention of 1879, the University of California was fully established. It was at this convention that the act establishing the University was elevated to that of a separate "public trust" thus, the institution was granted autonomy. This autonomy therefore, created a corporate body known as the Regents of the University of California. The status of a public trust set the University apart from all other public institutions in the state. Article IX, Section 9 of the Constitution established the Regents of the University of California as the sole governing body of this public trust, not to be controlled by the Legislature or the Governor. By comparison the California State University and the Community Colleges were both created by "statutory enactment" and are required to adhere to the governing powers established through the Legislature. However, the University of California's autonomy does not include the budget and funding process, which is still controlled by the Legislature and the Governor. The Constitution established the Regents, as that of a corporation like that of a fourth and separate branch of government.

The Organic Act also directed the regents to set qualifications for admissions. In turn, in 1880 the regents required the faculty to establish admission requirements, to develop outreach efforts and to set standards for California's network of high schools.

According to Douglass (1997), the Organic Act defined specific principles deemed essential to the operation of the university. The most important was centered on the selection of students for admissions:

> the university should draw students from all parts of the state. Educational opportunity was thus defined not only in economic terms, but also by geographic representation so that all Californians, in theory, would have chance to attend the university. (pg. 3)

This was one of the main principles which helped to develop and guide the University of California. Yet, the 1960's brought about major changes which shaped the entire structure of higher education for the state of California. The 1960's were a time of change for the University of California. Once again, California was growing and changing both economically and in population. These changes forced the Governor and Legislature to recognize the need to establish a structural plan for higher education. That plan came to be known as the Master Plan for Higher Education. As the CPEC (1993) reports suggests the Master Plan for Higher Education came about for three reasons:

> (1) state college enrollment was projected to increase almost 350 percent between 1958 and 1975. (2) Many legislators were introducing bills and resolutions to establish new campuses in their districts without the benefit of statewide planning and coordination with respect to need and the state's ability to pay any; (3) the state colleges were in a sense 'restless: with respect to their traditional mission having emerged only recently from their status as teachers colleges with limited master's degree programs and learning at least on some campuses to be allowed to become comprehensive universities with doctoral degree programs and research as a recognized function. (pg. 7)

Under the Master Plan for Higher Education the University of California would raise its admission standards to select the top 12.5 percent of high school graduates

statewide. This shift automatically reduced access to the UC at the freshmen level. Therefore, the junior colleges would step in providing opportunity for students to transfer in their junior year. To assure that there would be space available for transfer students the University of California agreed to establish a ratio of upper to lower division students of 60 to 40 percent with transfer students required to have a 2.4 or better grade point average (GPA) to be considered for admission.

The Master Plan for Higher Education provided few changes to the function and mission of the University of California. "The university would still provide instruction in the liberal arts and sciences, exclusive jurisdiction over professional education in fields such as dentistry, law, and medicine, and sole authority to award the doctoral degree. The one change that the Master Plan made was to suggest that the university award joint doctoral degrees in selected fields with the State University," (CPEC, The Master Plan, Then and Now, 1993, pg. 4).

In looking at understanding underrepresentation of minority students most of the historical educational policies enacted by the state of California prior to 1965 did not include people of color or any discussion of diversity. The 1960 Master Plan for Higher Education was no exception. Diversity and equality of opportunity for historically underrepresented groups were not a part of the planning for the 1960's. According to CPEC (1993), the Master Plan did not address issues of diversity or the underrepresentation of racial/ethnic groups in the student population. The report claims the major reason for this omission was a prohibition at that time against inquiring into the racial/ethnic identity of students on the grounds that such identification had led to negative bias in the past (CPEC, the Master Plan, Then and Now, pg. 7). While it is not

clear to the researcher what prohibition actually laid claim to the exclusion of the need to address issues of diversity, what may be pertinent is the social era in which California was participating at the time of the inception of the Master Plan. Prior to 1960, specific issues of race and the need to provide access to historically underrepresented minorities was not an issue at all for California policymakers. California at the time performed as a homogenous state. As Douglass (1997) states, "largely a bastion of White Americans, who made up almost 90 percent of the state's population. Issues of race, equity, and social justice, while in much need of attention, had yet to emerge as a mainstream issue for Californians," (Setting the conditions of Undergraduate Admissions, April, 1997, pg. 1).

It was not until 1974, that California policy makers addressed the issue of diversity in statute. Under Assembly Concurrent Resolution 151, which calls for each segment of California public higher education to strive to approximate by 1980, the general ethnic, sexual and economic composition of recent California high school graduates. Prior to this there was no documentation of the need for equity and diversity in statute.

The primary goal of colleges and universities is to prepare students to become productive citizens ready to participate in the world in which they live. In an effort to accomplish this goal it is the responsibility of colleges and universities to provide students with tools in which to learn the skills, abilities and competencies that will prepare them to function in a global marketplace. In addition, to providing the tools of opportunity, the California education code requires colleges and universities to enroll a study body which is reflective of the diverse backgrounds and cultures that comprise the

versatility of the state population and the world. Education code 66205 further substantiates the need for diversity. Under education code 66205 the University of California and California State University; standards in criteria for undergraduate and graduate admission; responsibilities of governing boards:

> In determining the standards and criteria for undergraduate and graduate admissions to the UC and CSU, it is the intent of the Legislature that the governing boards do all of the following: It is the intent of the Legislature that the University of California and the California State University, pursuant to Section 66201.5, seek to enroll a student body that meets high academic standards and reflects the cultural, racial, geographical, economic, and social diversity of California. (pg. 1266)

The University of California, like most universities is faced with the challenge of balancing explosive demographic changes in the college-going population with diversity on one end and merit on the other, in an effort to frame an admissions policy that is nondiscriminatory and more inclusive of underrepresented students. For public institutions such as, that of the University of California the admission process is complex. The primary reason for this complexity is due to the responsibilities of public institutions to educate those within the communities that comprise our State. According to the first president of the University of California, Daniel Gilman (1872):

> This is the University of California. The University of This State. It must be adapted to this people their geographical position to the requirements of their new society and their undeveloped resources. It is not the

> foundation of private individuals it is of the people for the people. It opens the door of superior education to all. (pg. 2)

Now with the Regents decision in July of 1995, to end race based decision making in admissions the structure of admission at the University of California has taken a new turn. What has become evident in the admissions process is the stagnant growth in underrepresented students admitted to the university. Under the structure of the university students who meet admissions requirements are eligible for admission into the UC system yet, the eligibility rate for underrepresented groups is not growing at the rate of their European and Asian counterparts. According to CPEC (1995), "of the estimated pool of 1994 high school graduates eligible to attend the University of California 3.4 percent were African-American, 10.3 percent were Latino compared to 33.1 percent Asian and 53.1 percent White," (Information Item 6, 1995, pg. 23). Clearly these percentages indicate that underrepresented students are far from achieving educational equity. If our student bodies are to encompass the broad diversity of the state's population, as stated within statute (education code 66205), then the small and declining percentages of students from certain racial and ethnic groups, who are currently represented on campuses, pose some obvious challenges for the state as well as to public universities if we are to ensure equitable access to higher education.

The University of California as a public land grant institution has the responsibility of enrolling a student body, which is reflective of the State's population, a statement often echoed by the California Postsecondary Education Commission. According to CPEC (1997) enrolling a student body reflective of the State's population is a vital role of all colleges and universities in California. CPEC asserts that the college

admissions process for most public institutions is complex. Most institutions like that of the University of California employ the traditional measures of high school grades and standardized test scores in establishing a student's eligibility. What makes the process is that the achievement factors of GPA and test scores used solely in the process are imperfect when used in isolation. They are imperfect because there is no correlation between grades or test scores in determining college success. In addition, test scores are imprecise regarding reliability as a student's score could vary from one test to another and these differences may not indicate a student's actual ability to succeed in college.

The current policies for selecting freshmen students to the University of California were outlined by the 1960 Master Plan for Higher Education, which established the guidelines for admissions to public universities in the State. As stated earlier, under the Master Plan the University is encouraged to select all first-time freshmen from the top 12.5 percent of public high schools. The admission requirements consist of a college-prep curriculum, grades and standardized college admission tests.

According to the University of California (1998) the current admission requirements are:

> 2 years of History-Social Sciences, 4 years of English,
> 3 years of Mathematics, 2 years of Laboratory Sciences,
> 2 years of Foreign Language, 2 years of Advanced Course
> Electives. The SAT I or ACT and three SAT II subject
> Tests. (pg. 21-23)

In addition, to taking the required courses students must obtain at least a 2.82 GPA in those courses in order to qualify for admission. In regards to the standardized test,

qualifying scores are based upon student's GPA the higher their GPA the lower their score can be on the test. The University does not require any set score if a student's GPA is 3.3 or above on the admission exams. Students can be admitted to the University based upon examination alone. If a student's SAT scores is 1400 or above or their ACT score is above 31 and they obtained a combined score of 1760 or above on the three SAT II subject exams they can be admitted to the University.

The University of California admits all eligible students to the University. All eligible students as defined by CPEC (1997) are, all "high school students who meet the respective admissions requirements for the University," (Higher Education Update, California Postsecondary Education Commission, Number 97-8, December, 1997). What this means specifically is that all students who meet the requirements will be admitted to a campus within the system. However, for some students this may mean acceptance to the University of California, but not to the first campus of their choice. According to the University currently there are only two campuses which admit all eligible students. They are the University of California, Riverside and Santa Cruz. At the other six campuses where more eligible students apply then there are places the University will admit 50 to 75 percent of freshmen based solely on their academic record which includes, courses and test scores. The University admits the remainder of the freshmen class based on academic record in addition to talents, life experiences, personal difficulties, and their personal traits. Currently, this is how the University of California admissions is conducted, but that was not always the case. In 1988, the Regents of the University of California had adopted a policy on undergraduate admissions. According to the University (1988):

> Mindful of its mission as a public institution, the University of California seeks to enroll, on each of its campuses, a student body that, beyond meeting the University's eligibility requirements, demonstrates high academic achievement or exceptional talent, and that encompasses the broad diversity of cultural, racial, geographic, and socioeconomic backgrounds characteristic of California. (pg. 1)

In addition, to a broad statement aimed at increasing diversity, the University for the first time allowed students to apply to more than one campus thus, increasing the admission rates of students accepted into the system. As stated earlier, in 1995, the Board of Regents of the University of California voted to do away with this policy. Through resolution SP-1, beginning in January of 1997, the University would eliminate the consideration of ethnicity, race, national origin, and gender as criteria for regular admissions and by exception. SP-1 also called for the restructuring of admission guidelines with at least 50 to 75 percent of the students admitted to each campus based solely on GPA and test scores. Following the passage of SP-1, the University convinced a task force on undergraduate admissions designed with the goal of providing the guidelines for addressing admissions under the new requirements. Membership of the task force was comprised of University personnel. The task force established the following goals (1995):

> Adherence to the Master Plan's definition of the eligible population from which the University is to draw its entering class; commitment to provide a place within the University for every eligible California applicant who wishes to enroll. However, this commitment to eligible applicants does not guarantee admission to the campus or program of an applicant's first choice; enrollment to those who have demonstrated high academic achievement or exceptional personal talent; enrollment of a student body that encompasses the broad diversity of cultural, racial, geographic, and socio-economic backgrounds characteristic of California, in recognition of a publicly supported institution's

> responsibility to train the leadership of a pluralistic society; and the educational importance of a student body made up from a broad diversity of backgrounds, values and viewpoints, as an integral part of a stimulating intellectual and cultural environment. (pg. 3)

The task force also encouraged campuses to adhere to certain institutional goals, such as giving preferences to student who are rural, poor, disabled, athletes, or local. Increasing the enrollment of these students as expressed by the task force, would garner a wider perspective of diversity. However, the task force viewed this issue as one of the biggest barriers to improving admissions and enrollment. The University of California task force on admissions made recommendations tailored towards increasing academic standards and eligibility of students seeking admissions to the institution. In their recommendation the task force (1995) stated clearly that students would not be judged solely on quantifiable measures. Campuses were encouraged to look at additional assessments beyond academic achievement. Campuses would have the flexibility of molding their admissions criteria which best suited the campus, while still adhering to the Universitywide policy on SP-1. The University should monitor the new guidelines in an effort to make sure they comprise with the Regents 1988. On-going reporting will be developed on the implementation of the new criteria aimed at keeping the Regents and the University at large informed. Campuses were encouraged to monitor the selection and admission of transfer students and how they contribute to the diversity of the student population. In addition, campuses were asked to enhance their focus of the low-socioeconomic status of students and their financial need in the admissions process. The task force noted that the differences in student eligibility among ethnic groups appeared to be an on-going obstacle for underrepresented students in gaining admissions. The

need to improve the disparity in eligibility rates the task force noted as the number one concern of the University and it would be monitored closely. The task force final recommendation was to elevate the committee to that of an advisory group to the University Provost in overseeing the implementation of the new admissions guidelines which is the case to date.

With the new admissions policy in place, there began a heavy focus upon the term "merit" in the ivory towers of the selective universities. This focus brought concern by those in the educational community. In the passage of SP-1 many University officials began to use the term merit in describing how they were restructuring admissions. Although the term was never operationally defined by the institution, it was used in a host of admission documents, even in the text of SP-1 when University officials began referring to focusing more on academic qualifications in the admissions process. If the institution had not changed its use of the Master Plan guidelines there should not have been any shift from academic qualifications whatsoever. So, why the new use of the term? Those within the academic community had assumed theories of the new shift in terms. According to Miller (1996) the use of the term merit became apparent when the assumption was made that students were gaining admissions based solely on skin color. With this assumption the term merit emerged to the forefront of the admissions debate. According to this researcher the subjective use of merit with no definition has become biased in its interpretation and use regarding admissions. According to Miller (1996):

> This conclusion that more than academic merit determines admission, however obvious, is not a simple one. Consider its polar opposite: that academic merit and only academic merit determines all admission. Such merit brings with it a host of underlying assumptions about the merited ones: they are academically prepared. It is in this thinking that our short-sightedness of definition is apparent. When closely examined, academic

> merit, which was meant to be an unbiased, purely objective measure of a student's qualifications and achievement, loses some of its supported objectivity. Why? Because merit itself if a subjectively contrived concept. For those persons whose mental ability is viewed as less adept, is doubted for any reason, or just maybe, is limited due to prejudice, higher levels of education are quite frequently considered inappropriate, with the justification that these persons simply do not measure up academically. This is how access to education, is restricted on the basis of academic merit. (pg. 49)

Since the implementation of SP-1 there has been a tremendous change in the demographic make-up on the University of California campuses. According to the Senate Select Committee on Higher Education Admissions and Outreach (1997):

> As of 1998, African American and Latino students make up nearly 40 percent of California's high school graudates. As a consequence of implementing SP-1, the numbers of African Americans and Latinos dropped by 7 percent and 18 percent respectively so that, both groups account for only 17 percent of those admitted to the University of California. (pg. 2)

At the most selective campuses like that of UCLA and UC, Berkeley the largest drops in minority admissions were unveiled in April of 1998. For example, at UC, Berkeley there was a 50 percent from the previous year in the number of African American, Latino and Native American students, with only 10 percent of underrepresented groups gaining admissions to the University. With the implementation of SP-1 admission to the University of California became increasingly competitive. According to the University (1998):

> For the Fall class of 1998, the University of California received 60,912 applicants. Of those 29,961 applied to UC, Berkeley which was only able to admit 27 percent of them. At UCLA, it was reported that the grade point average of those students admitted had climbed to 4.19 and the average SAT had risen to 1324. (pg. 2)

For example, Berkeley's data indicated that they rejected over 8000 applicants with 4.0 GPAs and 1200 SAT scores. Of that 8000, 800 of them were students from underrepresented groups. There is a distinct difference in the number of students who apply to the flagship campuses of the University of California versus those of the non selective campuses in the system. There is a large difference between the number of underrepresented students admitted at UCLA versus those admitted at UC, Riverside, according to the enrollment figures from the University of California student academic services admissions office. In 1998, of the 195 Native American students that applied to UCLA 49 were admitted and 15 actually enrolled. Of the 1,353 African American students who applied 304 were admitted and 131 enrolled. Of the 1,040 Latinos that applied, 262 were admitted and 129 enrolled. At the University of California, Riverside of the 69 Native American students who applied, 54 were admitted and 14 enrolled. Of the 621 African American who applied, 372 were admitted and 123 enrolled. Of the 483 Latinos who applied, 342 were admitted and 95 enrolled. While the number of underrepresented students who applied to the University of California, Riverside were substantially lower than the number which applied at the flagship campus of UCLA, the numbers indicate that the less selective campuses are admitting more underrepresented students.

When the numbers were release for Fall 1998, admissions was the top news with major headlines around the country triggering numerous responses and statements by those in the educational community and the University of California itself. The headline for the Los Angeles Times read, "Fewer Blacks and Latinos enroll at UC." The Times reported (1998) that Blacks and Latinos admitted to the flagship campuses of Berkeley

and Los Angeles had declined by 40 and 50 percent. While the decline were expected the large numbers were more pronounced and even a surprise to those within the University of California. According to Rae Lee Siporin, admissions director for UCLA, " we are doing the best we can, given the law we have to work with. The numbers are not as bad as they might have been. That's the only bright side," (The Los Angeles Times, May 21, 1998, A1). According to Weiss, of the Los Angeles Times (1998):

> At the most competitive campuses, such as UC Berkeley, where only 98 African Americans will join 3,562 other students who have agreed to register as freshmen in the fall. That's a 62% drop from the number of blacks who enrolled at Berkeley last September. Latinos there dropped 46% UCLA also showed significant declines in black and Latino students who will join its freshmen class. Of the 4,267 entering freshmen, only 131 are African American a 40% drop compared to last year and 458 are Latino, a 24% drop. Overall, the UC system reported its largest freshmen class ever 27,425 students. In contrast to the overall rising numbers of UC bound freshmen, the proportion of the class that is either Black, Latino or American Indian is the lowest it has been in at least half a dozen years. (A-13)

Once all the applications were in and the admission notices had been sent out there were huge declines for underrepresented students at the flagships campuses of the University of California. However, the figures for these students system-wide was a surprise for University leaders. Kollars (1998) reported that, "the proportion of underrepresented students system-wide declined 2.4 percentage points from 17.6 percent in 1997 to 15.2 percent next year," (The Sacramento Bee, May losses, a few gains in UC's fall minority enrollment, May 21, 1998). The systemwide percentage of underrepresented students was viewed as good news by the University. According to Carla Ferri (1998), director of undergraduate admissions for the University of California, the institution was concerned

about the declines but relieved that they thought, they were also concerned that underrepresented students had not increased either. Still, there were those who viewed these declines as telling symbols of the resegregation of the University. June Jordan (1998), author and professor of African American studies at UC, Berkeley asserted that the figures were "appalling" and that this would be the beginning of a predictable and consisent attrition of underrepresented students. There were those who saw these declines as a direct threat to underrepresented communities. In July of 1998, the California Conference Ministerial Alliance African Methodist Episcopal Church sent a letter to UC President Atkinson expressing their concerns with the growing decline of African American students admitted to the University of California and demanding a meeting to resolve the issue. According to Reverend Burroughs (1998):

> We are concerned about the precipitous drop in the number Of African Americans admitted to the University of California For the Fall of 1998. We see this set of circumstances as being The direct culminating effect of the actions by the Regents of the University in their initiating the policy changes embodied in SP-1. This action has had and portends an extremely detrimental Effect on the African American Community in the potential Development of doctors, lawyers, educators, engineers and Other scientists, all of which are critical to the survival of a viable African American Community. This blatant denial of access for Large numbers of African American youth to the University of California has caused enormous concern and unrest in the Community, church and State. (pg 1)

The impact of the new admissions policy was also a concern to those in the Legislature. State Senator Teresa P. Hughes a former college professor and a member of the Senate Rules Committee requested that the State Senate devise a special committee solely to examine this issue and its impact on California. In July of 1997, the California State Senate established the Select Committee on Higher Education Admissions and Outreach.

Chaired by Senator Teresa P. Hughes the focus and purpose of the committee was to examine the historical inequalities and the current disparities regarding the decline in access to public universities specifically, the University of California. According to Hughes (1997):

> With the 1995 decision by the California Board of Regents
> To eliminate the use of race in admissions criteria, the university
> Has experienced record declines in statewide representation of
> Students for Fall enrollment. With this decline in enrollment, it
> Seems only appropriate that the State Senate move in the direction
> Of researching this issues to ensure that our public universities
> Are providing real access to postsecondary education for students
> In rural, as well as inner city communities, if we want to increase
> Their opportunities to become productive and economically stable
> Citizens (pg. 2)

Senator Hughes like others, had concerns that the new admissions policy would turn back the clock in desegregation. In addition, the new policy would allow the University of California to ignore the education code which calls for public universities to enroll student bodies that reflect the diverse population of the state. The select committee conducted public hearings within the education community throughout the state on this issue. In addition, to collecting data on the structure and function of college admissions the public hearings sent a clear message to the University of California that the Legislature would be watching.

Ward Connerly regent of the University of California, and author of SP-1, saw the new admissions policy as promising for the growth and development of the University. When the new enrollment figures were released Connerly (1998) made the following comment, "this is heartening news that you can make the transition from a very race-conscious institution without the sky falling. The notion that these kids would feel

unwelcome is just nonsense, and this validates it," (The Sacramento Bee, [illegible] few gaines in UC's fall minority enrollment, May 21, 1998). University of [illegible] President Richard Atkinson viewed the issue as one that should be focused at the academic curriculum of the K-12 system. Atkinson adamantly asserted that the University was not discriminating against students of color. Atkinson believed that the declining figures where a direct result of the lack of academic preparation students had received in secondary schools and the reality that there are many more low-performing schools in the state then people realize. In an editorial to the San Francisco Chronicle (1998) Atkinson stated:

> Preliminary figures show that this year's class, may well include fewer underrepresented minorities. We hope this is a temporary imbalance that will soon right itself. But if it does not, the irony for California will be that UC enrollment is falling among precisely those groups that are projected to constitute the majority of this state's high school graduates in the next century. The hard fact is that inequities in educational opportunities in the K-12 schools translate into very real differences in students' preparation and readiness for college. Admissions procedure and criteria can try to take these inequities into account but they cannot correct them. (pg. 53)

There are scholars who contend that the University as well as the United States cannot afford to pursue a colorblind approach to equal opportunity in admissions. According to John Dovidio (1997), a professor at Colgate University he contends that "aversive racism" is the main reason why the University cannot delude itself into thinking that a colorblind approach to equal access will cure the racial ills of our society. According to Dovidio (1997):

> Overt racism has evolved into more-subtle and perhaps More-insidious forms of racism. "Aversive" racism to Minorities is not one of overt dislike or hostility, but rather One of anxiety or discomfort. As a consequence, aversive

Racists attempt to avoid interracial interaction whenever possible. And although they try not to behave in overtly negative way toward blacks (which would threaten their self-image as unbiased), they frequently express their bias indirectly by favoring whites rather than discriminating against blacks and members of other minority groups. (pg. 1)

In his research Dovidio (1997) has outlined three key elements that ll universities should employ which will make the use of race and affirmative action programs more effective against aversive racism and their so-called colorblind "equal opportunity" policies. Dovidio outlines three strategies. First, race-based programs must be established in a manner which counteracts the effects of subtle bias. For example, a diverse pool of "fully qualified" applicants for entrance into the university. Second, affirmative-action produces statistical information which allows agencies and institutions to track their progress toward equity and diversity. "Systematic monitoring of racial disparities in student or faculty attrition can reveal the cumulative effects of aversive racism that might go unnoticed," (The Chronicle of Higher Education, "Aversive" Racism and the Need for Affirmative Action, July 25, 1997, pg. 2). Finally, race-based affirmative action programs which focus on the outcomes and not the design are more effective in producing positive results than that which can be produced through the unintentional bias' of aversive racism.

Since 1995, and currently today, the University of California and the University of Texas, are the only two public higher education institutions that have abolished the use of race in their admissions policy. With the recent declines in minority representation it can be said that there is a growing perception among high school students and those in the education community, that the University of California no longer welcomes African

American, Latino and Native American students. In addition, this current trend will perpetuate underrepresented students to congregate at the less selective University of California campuses that attract fewer resources and that community whose share their numbers in representation is increasing.

With the elimination of the use of race in admissions, the need to maintain diversity, address the low eligibility rates for underrepresented students and provide equitable access for students seeking to enroll from across the state should be main issues for the University of California. More than ever an acceptable alternative to the current admissions structure was at the forefront of the debate. The University of California, faculty and the State of Texas have all developed proposals which restructured college admissions on a per school basis. In May of 1998, the University of California Regents discussed a 4 percent alternative proposal plan. The plan would alter eligibility criteria. The University had proposed to alter admissions on a two-tier track. Track one would provide eligibility to students who rank in the top 4 percent of their graduating high school class. Students in track one would be identified as UC Merit Scholars. The remainder of the students (8.5 percent under the Master Plan guideline) would fall under track two by which they would gain eligibility on a statewide basis. UC officials estimated that this proposal would offer an additional 3500 to 4000 to its eligible pool of students. In March of 1999 The Regents of the University of California approved the Merit Scholars program establishing admission on a per school basis. The University of California claimed a need to ensure "geographic and ethnic" diversity of the campus was the reason and justification for their proposed plan.

The state of California is not the only state which has devised a new alternative to admissions. In 1996, the state of Texas made it the law of the land in altering admissions on a per school basis. The state of Texas devised a ten percent plan [illegible]

(Rangel) the state of Texas passed legislation which assured admission to any public higher education institution in Texas for a student in the top 10 percent of a high school graduating class. The State of Texas did not propose the plan solely on the issue of diversity, but also to add a sense of conformity for all admission policies in colleges and universities across the state. The 10 percent proposal also allows for flexibility, in that each university is free to consider other admissions criteria to admit students who fall outside the range of ten percent. As outlined by the 5th Circuit Court, colleges and universities still have the right to use other nontraditional criteria such as athlete ability or musical talent as part of its criteria in admitting students. The positive aspect of per school basis admissions is that it offers an opportunity for increased access for all students. In addition, it allows students to compete for admissions amongst their peers with similar socioeconomic backgrounds, and finally it increases the accountability factor, as it helps to encourage more parents and schools participation in preparing students for college.

In summary, the University of California's new admission policy pose a direct challenge to the need for education to include underrepresented students. Freire (1994) asserts that education is the beginning to opportunity for the oppressed. The ability of the oppressor to deny that opportunity is a strategy often perpetuated by the elite in an effort to maintain the status quo. If the University of California wants to increase access for all students it should devise its admissions policy so that students who fall within the full

range of eligibility to the university are admitted. Instead, the current practice admits only those students who fall in the highest range of eligibility which devises a freshmen class where the majority of students have 4.0 GPA's.

With the current crisis in higher education we must begin to establish fundamentally sound alternatives to the admissions policy for public universities in order to address the needs of the new student population. Today, there is not only a need to provide actual access to the university, but also to redesign a politically acceptable, yet educationally sound, admissions policy that results in a student population that adequately, if not entirely fairly, represents the state's population so that the university may meet its institutional responsibility for future generations of Californians. Freire contends that all individuals can become full participating citizens in our society being viewed as "fully human," if they are given the tools in which to do so. Allowing all people access to education is the beginning of true freedom and full inclusion.

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